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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/774,806	02/10/2004	Alexander Kushnarenko	P-6274-US	9248

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EXAMINER

TON, MY TRANG

ART UNIT	PAPER NUMBER
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2816

DATE MAILED: 12/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/774,806	Applicant(s) KUSHNARENKO, ALEXANDER	
	Examiner My-Trang N. Ton	Art Unit 2816	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2005.
 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 12-17 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 1, 12-14 and 17 is/are rejected.
 7) ☒ Claim(s) 2-10 and 16 is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.


Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☒ The drawing(s) filed on 10 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


 MY-TRANG NUTON
 PRIMARY EXAMINER

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the limitation "a given voltage source" (claims 1 and 13) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

Claims 1 and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, there is no support in the specification for the language reciting that the "circuitry is adapted to disconnect a circuit path between **a given voltage source** and said output node prior to connecting another voltage source". It is unclear how the limitation recited therein read on the preferred embodiment.

Claim 13 is similarly rejected as claim 1: the limitation "a circuit path between a given voltage source" is indefinite since it is unclear how the limitation therein read on the preferred embodiment.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 12-14 remain rejected under 35 U.S.C. 102(b) as being anticipated by the prior art depicted by Applicant's Fig. 2.

As noted in the last Office action, the prior art, Fig. 2 disclosed a conventional high voltage driver with Vcc pre-charge including:

a low voltage source (Vcc);

a high voltage source (HV);
a first input node (IN1-P);
an output node (nOUT); and
circuitry (PO, NO, N1) adapted to connect said output node (nOUT) to said low voltage source (Vcc) when a signal at said first input node is in a first state (when IN1-P is HIGH, IN2 IS LOW, connected to Vcc) and to said high voltage source (HV) when said signal at said first input node is changed to a second state (when IN1-P is LOW, PO is ON, IN2 is either HIGH or LOW, connected to HV) and recited in claim 1. Due to indefiniteness, the limitation "circuitry is adapted to disconnect a circuit path between a **given voltage source** and said output node prior to connecting another voltage source" can not given sufficient weight to read over the reference.

Regarding claim 12, low voltage source is Vcc (Vcc).

The method recited in claim 13 is similarly rejected as claim 1: connecting said output node (Nout) to said low voltage source (Vcc) when a signal at a first input node is in a first state (when IN1-P is HIGH, IN2 IS LOW, connected to Vcc) and to said high voltage source (HV) when a signal at said first input node is changed to a second state (when IN1-P is LOW, PO is ON, IN2 is either HIGH or LOW, connected to HV). Due to indefiniteness, the limitation "circuitry is adapted to disconnect a circuit path between a **given voltage source** and said output node prior to connecting another voltage source" can not given sufficient weight to read over the reference.

Regarding claim 14: said connecting said output node to said high voltage source when a signal at said first input node is in said second state comprises providing a high

voltage on signal at said first input node to a switch connecting said output node to said low voltage source (when IN1-P is HIGH, IN2 is LOW, connected to Vcc).

Claims 1, 12-13 and 17 also remains rejected under 35 U.S.C. 102(b) as being anticipated by Shin et al (U.S. Patent No. 4,733,105).

As state in the last Office action, Shin et al disclosed a CMOS output circuit including:

- a low voltage source (V1);
- a high voltage source (VDD);
- a first input node (S11);
- an output node (node connected between 33, 56 and 38, connect to A); and
- circuitry (31, 32, 52, 33, 56) adapted to connect said output node (the node connected between 33, 56 and 38, connect to A) to said low voltage source (V1) when a signal at said first input node is in a first state and to said high voltage source (VDD) when said signal at said first input node is changed to a second state (when S11 is LOW, 31a & 32 ON, connected to V1, and when S11 is changed to HIGH, connected to VDD) and recited in claim 1. Due to indefiniteness, the limitation "circuitry is adapted to disconnect a circuit path between **a given voltage source** and said output node prior to connecting another voltage source" can not given sufficient weight to read over the reference.

Regarding claim 12, low voltage source is Vcc (seen as V1).

The method recited in claim 13 is similarly rejected as claim 1: connecting said output node to said low voltage source (V1) when a signal at a first input node is in a first state and to said high voltage source (VDD) when a signal at said first input node is changed to a second state (when S11 is LOW, 31a & 32 ON, connected to V1, and when S11 is changed to HIGH, connected to VDD). Due to indefiniteness, the limitation "circuitry is adapted to disconnect a circuit path between **a given voltage source** and said output node prior to connecting another voltage source" can not given sufficient weight to read over the reference.

Regarding claim 17: connecting the output node to the low voltage source (when S11 is LOW) after disconnecting the output node from the high voltage source (S11 remains LOW), thereby charging the low voltage source (charging V1).

Allowable Subject Matter

Claims 2-10 and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments filed 9/26/05 have been fully considered but they are not persuasive. Examiner has thoroughly reviewed Applicant's arguments but firmly believes that the cited reference reasonably and properly meet the claimed limitation as rejected.

Applicant's argument - the limitation "circuit path between a given voltage source and said output node ... prior to connecting another voltage source" is neither taught nor suggested in either of the cited reference.

Examiner's response - Due to indefiniteness as noted above, the limitation **"circuitry is adapted to disconnect a circuit path between a given voltage source and said output node prior to connecting another voltage source"** can not given sufficient weight to read over the reference. Therefore, while the admitted prior art Fig. 2 and Shin fail to disclose the claims invention as argues, neither do claims 1 and 13.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to My-Trang N. Ton whose telephone number is 571-272-1754. The examiner can normally be reached on 7:00 a.m - 5:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Callahan can be reached on 571-272-1740. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



My-Trang N. Ton
Primary Examiner
Art Unit 2816

December 7, 2005